

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

RESILIENT FLOOR COVERING
PENSION TRUST FUND BOARD OF
TRUSTEES, et al.,

Plaintiffs,

v.

MICHAEL'S FLOOR COVERING, INC.,

Defendant.

Case No. 11-cv-05200-JSC

**ORDER RE: ADMINISTRATIVE
MOTION TO FILE PLAINTIFFS'
OPPOSITION BRIEF UNDER SEAL**

Re: Dkt. No. 165

Plaintiffs' administrative motion to file their opposition to Defendant's motion for summary judgment under seal is now pending before the Court. (Dkt. No. 165.) Plaintiffs filed the motion to seal because the brief includes references to information that Defendant previously designated as confidential under the parties' stipulated protective order. Under Civil Local Rule 79-5(e), Defendant, as the party who designated the material sought to be sealed as confidential, had four days to file a declaration in accordance with Rule 79-5(d)(1)(A) establishing that the material was properly sealable. *See also* Civ. L.R. 79-5(b) (defining sealable information as "privileged, protectable as a trade secret or otherwise entitled to protection under the law"). Defendant has not filed such a declaration and the time to do so has run. Accordingly, the administrative motion to seal is DENIED and Plaintiffs shall file their opposition brief on the public docket as specified in Rule 79-5(e)(2).

This Order disposes of Docket No. 165.

IT IS SO ORDERED.

Dated: June 8, 2016


JACQUELINE SCOTT CORLEY
United States Magistrate Judge